

THURSDAY, MARCH 18, 1982

EIGHTY-SECOND LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Stanley Holland, Dyersburg, Tennessee.

Representative Dills led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 96

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

The Speaker announced that Representative Davis (Gibson) was excused because of illness.

The Speaker announced that Representative Kelley was excused because of business.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

The Speaker announced that Representative Martin was excused because of business.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

379--Relative to honoring Pamela Jane Hurley; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1948--To provide Profit Sharing Plan, state employees;

2060--To amend Securities Act of 1980; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution Nos.:

243--Relative to commending Mrs. Agnes Ledbetter;

246--Relative to honoring Carlton Flatt and Brentwood High School football team; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1573--To amend Section 55-16-108, Code;

1669--To amend Section 4-15-105, Code;

1996--To prohibit sale, uncertified tobacco seed;

2086--To amend Section 51-437, Code;

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

2148--To amend Sections 2-3-201 and 2-6-109, Code; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1457--To make certain provisions, retirement, public employees; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

167--To authorize bond issue, bridge at Cockrill Bend; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1165--To amend Section 67-332, Code;

1749--To make certain provisions, West Tennessee Tributaries Project; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Speaker McWherter moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 390 out of order, which motion prevailed.

House Joint Resolution No. 390--Relative to honoring Bob Owen--By Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

On motion, the resolution was adopted.

A motion to reconsider was tabled.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution No. 390; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

CALENDAR

House Bill No. 1574--To define practice of barbering.

On motion, House Bill No. 1574 was made to conform with Senate Bill No. 1708.

On motion, Senate Bill No. 1708, on same subject, was substituted for House Bill No. 1574.

Mr. Severance moved that Senate Bill No. 1708 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1708 by adding the following language at the end of the amendatory language of Section 1:

Nothing in this act shall affect nor shall be construed as affecting the rights of a person carrying on the practice of "cosmetology" as that term is defined and used in Tennessee Code Annotated, Title 62, Chapter 4.

On motion, the amendment was adopted.

Mr. Covington moved the previous question, which motion failed by the following vote:

Ayes	51
Noes	29
Present and not voting	7

Representatives voting aye were: Akard, Bell (Knox), Bewley, Bivens, Buck, Byrd, Carter, Clark (Davidson), Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, Disspayne, Duer, Ford, Frensley, Gaia, Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson,

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Jones, Kernell, McAfee, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Owen, Percy, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Spence, Stafford, Sterling, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wolfe and Yelton--51.

Representatives voting no were: Baker, Bell (Wilson), Clark (Sumner), DePriest, Dills, Duncan, Ellis, Harrill, Henry (Blount), Hudson, Kent, King (Washington), Lashlee, Love, McKinney, Moore, Naifeh, Phillips, Pickering, Robertson, Scruggs, Sir, Smith, Stallings, Tanner, Wallace, Wix, Wood and Work--29.

Representatives present and not voting were: Bragg, Brewer, Burnett, Crain, King (Shelby), Richardson and Mr. Speaker McWherter--7.

Mr. Covington moved the previous question, which motion failed by the following vote:

Ayes	57
Noes	23
Present and not voting	6

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Buck, Carter, Clark (Sumner), Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hurley, Jared, Johnson, Kent, Kernell, Love, McAfee, McKinney, McNally, Miller, Montgomery, Murray, Naifeh, Owen, Percy, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Small, Spence, Stafford, Sterling, Turner, Ussery, Webb, Wheeler, Withers, Wolfe, Wood, Work and Yelton--57.

Representatives voting no were: Bell (Knox), Bell (Wilson), Bragg, Clark (Davidson), Copeland, Ellis, Harrill, Henry (Blount), Huskey, King (Washington), Lashlee, Moore, Murphy (Davidson), Pickering, Robertson, Scruggs, Sir, Smith, Stallings, Tanner, Wallace, Whitson and Wix--23.

Representatives present and not voting were: Brewer, Burnett, Duncan, Hudson, King (Shelby) and Mr. Speaker McWherter--6.

Mr. Covington moved the previous question, which motion prevailed by the following vote:

Ayes	61
Noes	22
Present and not voting	6

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Carter, Clark (Davidson), Cobb, Covington, Crain, Davidson, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Hillis, Huskey, Jared, Johnson, Jones, Kent,

Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Owen, Percy, Phillips, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Stafford, Starnes, Sterling, Turner, Ussery, Webb, Wheeler, Withers, Wolfe, Wood, Work and Yelton--61.

Representatives voting no were: Chiles, Davis (Pickett), DeBerry, Dills, Harrill, Henry (Roane), Hudson, Hurley, Lashlee, Moore, Murphy (Shelby), Naifeh, Pickering, Robertson, Scruggs, Sir, Smith, Spence, Stallings, Tanner, Wallace and Whitson--22.

Representatives present and not voting were: Bragg, Brewer, DePriest, Henry (Blount), Wix and Mr. Speaker McWherter--6.

Thereupon, Senate Bill No. 1708, as amended, passed its third and final consideration by the following vote:

Ayes	60
Noes	28
Present and not voting	4

Representatives voting aye were: Akard, Bell (Knox) Bell (Wilson), Bewley, Bivens, Buck, Byrd, Carter, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Hamilton), Disspayne, Duer, Duncan, Ellis, Ford, Gaia, Gill, Henry (Roane), Hillis, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), Love, McAfee, McKinney, McNally, Montgomery, Moore, Murphy (Davidson), Murray, Owen, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Small, Smith, Stafford, Starnes, Sterling, Turner, Ussery, Webb, Wheeler, Wolfe, Wood and Yelton--60.

Representatives voting no were: Baker, Bragg, Burnett, Chiles, Cobb, Davis (Pickett), DeBerry, Dills, Harrill, Henry (Blount), Hudson, Hurley, Jones, King (Washington), Lashlee, Miller, Naifeh, Pickering, Scruggs, Shockley, Sir, Spence, Stallings, Tanner, Wallace, Whitson, Withers and Work--28.

Representatives present and not voting were: Brewer, DePriest, Frensley and Wix--4.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1910--To make certain provisions, litigation taxes.

Mr. Chiles moved that House Bill No. 1910 be passed on third and final consideration, which motion prevailed by the following vote:

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Ayes	86
Noes	2
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Carter, Chiles, Clark (Sumner), Cobb, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --86.

Representatives voting no were: Sir and Stallings--2.

Representatives present and not voting were: Clark (Davidson), Covington and McAfee--3.

A motion to reconsider was tabled.

House Bill No. 1780--To regulate handicapped drivers.

On motion, House Bill No. 1780 was made to conform with Senate Bill No. 1943.

On motion, Senate Bill No. 1943, on same subject, was substituted for House Bill No. 1780.

Mr. Chiles moved that Senate Bill No. 1943 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	81
Noes	4
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--81.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Representatives voting no were: Brewer, DeBerry, Harrill and Jones--4.

Representatives present and not voting were: Covington, Pickering, Richardson and Spence--4.

A motion to reconsider was tabled.

House Bill No. 1467--To amend Section 64-3214, Code.

Mr. Huskey moved that House Bill No. 1467 be passed on third and final consideration.

Mr. Huskey moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1467 by deleting subsection (d) in its entirety and substituting the following:

(d) In lieu of the foregoing provisions in subsections (a) and (b), a developer may withdraw, after the initial fifteen (15) days cancellation period has expired, up to fifty percent (50%) of the total escrow funds, provided: (1) the developer prior to withdrawal of any funds post a surety bond in any amount identical to or in excess of the amount or amounts withdrawn from the escrow account, or (2) the developer has obtained protection for non-defaulting purchasers in compliance with Section 64-3229 of this Chapter, and has obtained a final and binding commitment letter on the construction of the project and a final and binding commitment letter on the financing of the same said construction. A bond obtained pursuant to (1) above shall be executed by the seller as principal and by a surety company authorized to do business in Tennessee as surety. The bond shall be conditioned upon the faithful compliance of the seller with the "Tennessee Time-Share Act" including substantial completion as defined in Section 64-3214, of the project and unit and compliance with the contract of purchase.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1467, as amended, passed its third and final consideration by the following vote:

Ayes	90
Noes	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared,

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives voting no were: Clark (Davidson) and Covington--2.

A motion to reconsider was tabled.

House Bill No. 1771--To regulate coon dog training, certain counties.

Mr. Ford moved that House Bill No. 1771 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representatives present and not voting were: Bell (Knox) and Moore--2.

A motion to reconsider was tabled.

Mr. Gill moved that House Bill No. 1592 be placed on the Calendar for Thursday, March 25, 1982, which motion prevailed.

Mr. Ford moved that House Bill No. 2189 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Mr. Davis (Hamilton) moved that House Bill No. 1926 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

House Bill No. 1978--To regulate inspections, health care facilities.

Mr. Davis (Hamilton) moved that House Bill No. 1978 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1978 by deleting the language in Section 1 in its entirety and inserting therefor the following new language:

SECTION 1. Tennessee Code Annotated, Section 53-1311 is amended by deleting the language in subsection (b), subdivision (5) in its entirety and inserting therefore the following language:

"(5) Notwithstanding the requirements of subdivision (4) of this subsection to the contrary, all hospitals and nursing homes licensed by the department of public health which have obtained accreditation from the Joint Commission on Accreditation of Hospitals shall be subject to inspections by the department under subsection (a) of this section only in years in which inspection surveys for such accreditation do not occur. In order to be issued a license by the department, such hospitals or nursing homes shall be required to annually remit the statutory licensing fees and a copy of a letter of current accreditation from the Joint Commission on Accreditation of Hospitals."

Mr. Starnes moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting the amendatory language in Amendment 1 in its entirety and inserting therefore the following new language:

SECTION 1. Tennessee Code Annotated, Section 53-1311 is amended by deleting the language in subsection (b), subdivision (5) in its entirety and inserting therefore the following language:

"(5) Notwithstanding the requirements of subdivision (4) of this subsection to the contrary, all hospitals and nursing homes licensed by the department of public health which have obtained accreditation from the Joint Commission on Accreditation of Hospitals shall be subject to inspections by the department under subsection (a) of this section only in years in which

inspection surveys for such accreditation do not occur. In order to be issued a license by the department, such hospitals or nursing homes shall be required to annually remit the statutory licensing fees and a copy of a letter of current accreditation and accompanying report from the Joint Commission on Accreditation of Hospitals. Such report shall be maintained as a confidential record pursuant to Tennessee Code Annotated Section 10-7-504."

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, House Bill No. 1978, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --91.

Representatives present and not voting were: Pickering and Wix--2.

A motion to reconsider was tabled.

House Bill No. 1983--To amend Section 67-1101, Code.

On motion, House Bill No. 1983 was made to conform with Senate Bill No. 1582.

On motion, Senate Bill No. 1582, on same subject, was substituted for House Bill No. 1983.

Mr. Davis (Hamilton) moved that Senate Bill No. 1582 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1582 by deleting the period at the end of the amendatory language of Section 1 and substituting the following language: ", provided, that such discount shall not apply when all or any part of the amount of tax due is paid under Sections 67-670 through 67-675."

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1582 by deleting the period at the end of the amendatory language of Section 1 and substituting the language: ", provided, that in any county or municipality in which such discount provision is effective, all such taxes payable from or under an escrow account or similar arrangement shall be paid within thirty (30) days of the date on which such taxes are payable, unless the taxpayer requests a later payment from or under an escrow account or similar arrangement, so that taxpayers whose ad valorem real property taxes are paid from or under an escrow account or similar arrangement may receive the maximum benefit of such discount."

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1582 by adding a new section:

Section___. This act shall apply only to Counties with over 200,000 population according to the 1980 census or any subsequent census.

On motion, the amendment was adopted.

Mr. Carter asked to be recorded as voting "No" on Amendment No. 3.

Thereupon, Senate Bill No. 1582, as amended, passed its third and final consideration by the following vote:

Ayes	90
Noes	3
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles,

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives voting no were: Bragg, Crain and Davis (Pickett)--3.

Representative present and not voting was: Duncan--1.

A motion to reconsider was tabled.

House Bill No. 1986--To allow left hand turns, certain situations.

Mr. Davis (Hamilton) moved that House Bill No. 1986 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	6

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representatives voting no were: Bewley, Carter, Jones, Kent, McAfee and Stallings--6.

A motion to reconsider was tabled.

House Bill No. 2099--To authorize motor vehicles fuel tax.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

On motion, House Bill No. 2099 was made to conform with Senate Bill No. 2115.

On motion, Senate Bill No. 2115, on same subject, was substituted for House Bill No. 2099.

Mr. Baker moved that Senate Bill No. 2115 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	2
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representatives voting no were: Copeland and Duncan--2.

Representatives present and not voting were: Pickering and Wix--2.

A motion to reconsider was tabled.

House Bill No. 2022--To increase eligible employees' longevity pay.

On motion, House Bill No. 2022 was made to conform with Senate Bill No. 2035.

On motion, Senate Bill No. 2035, on same subject, was substituted for House Bill No. 2022.

Mr. King (Washington) moved that Senate Bill No. 2035 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2035 by adding the following language as a new, appropriately-numbered section:

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

SECTION (___). Tennessee Code Annotated, Section 8-23-206, is amended by deleting paragraph (2) of subsection (d) in its entirety and renumbering remaining paragraphs accordingly.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2035, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Bill No. 1915--To create a State Court Clerk's Conference.

Mr. Lashlee moved that House Bill No. 1915 be passed on third and final consideration.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1915 by deleting Section 5 in its entirety and substituting instead the following:

Each member and associate member attending said seminar shall be responsible for paying all of his/her travel expenses including mileage, meals and lodging and the State shall not reimburse such members for any portion of such expenses.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1915, as amended, passed its third and final consideration by the following vote:

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Ayes	80
Noes	10
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Copeland, Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Small, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--80.

Representatives voting no were: Brewer, Chiles, Harrill, Hudson, Jones, McKinney, Montgomery, Murray, Scruggs and Smith--10.

Representatives present and not voting were: Bragg, Crain, Henry (Blount) and Stafford--4.

A motion to reconsider was tabled.

House Bill No. 2158--To regulate use of certain tires on vehicles.

Mr. Yelton moved that House Bill No. 2158 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representatives voting no were: Bewley, Carter, Pickering and Whitson--4.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

A motion to reconsider was tabled.

House Bill No. 1935--To require reporting of certain acts, correctional facilities.

On motion, House Bill No. 1935 was made to conform with Senate Bill No. 2014.

On motion, Senate Bill No. 2014, on same subject, was substituted for House Bill No. 1935.

Ms. DeBerry moved that Senate Bill No. 2014 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	60
Noes	31

Representatives voting aye were: Baker, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Carter, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Starnes, Sterling, Tanner, Turner, Wallace, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--60.

Representatives voting no were: Bell (Knox), Bewley, Chiles, Clark (Sumner), Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kent, King (Washington), McNally, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Stallings, Ussery, Webb, Whitson, Wolfe and Wood--31.

A motion to reconsider was tabled.

Mr. Tanner moved that House Bill No. 1631 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

House Bill No. 2037--To make certain provisions, elections.

On motion, House Bill No. 2037 was made to conform with Senate Bill No. 2148.

On motion, Senate Bill No. 2148, on same subject, was substituted for House Bill No. 2037.

Mr. Wood moved that Senate Bill No. 2148 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1952--To provide use of interest, money donated, public television.

Mr. Wood moved that House Bill No. 1952 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

On motion, Senate Bill No. 632 was recalled from the Committee on State and Local Government.

House Bill No. 1732--To regulate election officies, certain counties.

On motion, House Bill No. 1732 was made to conform with Senate Bill No. 632.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

On motion, Senate Bill No. 632, on same subject, was substituted for House Bill No. 1732.

Mr. Scruggs moved that Senate Bill No. 632 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representative present and not voting was: Covington--1.

A motion to reconsider was tabled.

House Bill No. 1751--To regulate Tennessee Housing Development Agency.

On motion, House Bill No. 1751 was made to conform with Senate Bill No. 1508.

On motion, Senate Bill No. 1508, on same subject, was substituted for House Bill No. 1751.

Mr. Scruggs moved that Senate Bill No. 1508 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray,

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 1613--To provide for reemployment after retirement, certain situations.

On motion, House Bill No. 1613 was made to conform with Senate Bill No. 1610.

On motion, Senate Bill No. 1610, on same subject, was substituted for House Bill No. 1613.

Mr. Tanner moved that Senate Bill No. 1610 be passed on third and final consideration.

Mr. Tanner moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1610 in Section 1 by adding the word "teacher," after "general employee" and by adding an additional sentence after (b) which shall be numbered as (c) and shall read as follows:

"(c) A retired teacher may not accept employment under this section with a local school board or public school system."

Mr. Rhinehart moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	70
Noes	16
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, McNally, Miller, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Severance, Sir, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe and Wood--70.

Representatives voting no were: Burnett, Cobb, Davidson,

Disspayne, Ellis, Huskey, Love, McKinney, Montgomery, Phillips, Pruitt, Robinson (Davidson), Scruggs, Shirley, Work and Yelton--16.

Representatives present and not voting were: Shockley, Sterling and Turner--3.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1610 by adding a new section before the enabling clause and renumbering the subsequent section according which shall read as follows:

"The provisions of this act shall not be applicable to those retired persons who are elected to county or municipal offices for which they receive compensation."

Mr. Burnett moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	30
Present and not voting	3

Representatives voting aye were: Akard, Bell (Wilson), Bewley, Bivens, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ford, Frensley, Gaia, Henry (Roane), Hillis, Hudson, Huskey, Jared, Johnson, Jones, King (Shelby), King (Washington), Lashlee, McNally, Montgomery, Murphy (Davidson), Murray, Naifeh, Percy, Phillips, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Stallings, Starnes, Tanner, Ussery, Wheeler, Whitson, Wix, Work and Yelton--57.

Representatives voting no were: Baker, Bell (Knox), Bragg, Byrd, Cobb, Copeland, DeBerry, Ellis, Gill, Harrill, Henry (Blount), Hurley, Kernell, Love, McAfee, McKinney, Moore, Pruitt, Robertson, Scruggs, Small, Smith, Spence, Stafford, Sterling, Turner, Wallace, Webb, Wolfe and Wood--30.

Representatives present and not voting were: Kent, Miller and Owen--3.

Mr. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes	58
Noes	31
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner),

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Covington, Davidson, Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Henry (Roane), Hillis, Hudson, Jared, Johnson, Jones, King (Shelby), King (Washington), Lashlee, McNally, Montgomery, Murphy (Shelby), Murray, Naifeh, Phillips, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wood, Work and Yelton--58.

Representatives voting no were: Bell (Knox), Bewley, Bragg, Cobb, Crain, Gill, Harrill, Henry (Blount), Huskey, Kernell, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Owen, Percy, Pickering, Pruitt, Robertson, Scruggs, Severance, Shirley, Sir, Small, Smith, Spence, Turner, Webb and Wolfe--31.

Representatives present and not voting were: Brewer, Kent and Mr. Speaker McWherter--3.

Mr. Spence moved that Senate Bill No. 1610 be re-referred to the Committee on Finance, Ways and Means.

Mr. Tanner moved that the motion be tabled, which motion failed by the following vote:

Ayes	42
Noes	47
Present and not voting	1

Representatives voting aye were: Bell (Wilson), Bivens, Burnett, Clark (Davidson), Clark (Sumner), Covington, Crain, Davis (Hamilton), DePriest, Dills, Disspayne, Duncan, Ellis, Frensley, Hillis, Hudson, Jared, Johnson, Jones, King (Shelby), King (Washington), Lashlee, McNally, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Phillips, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Sterling, Tanner, Ussery, Wheeler, Wix, Work and Yelton--42.

Representatives voting no were: Akard, Bell (Knox), Bewley, Buck, Byrd, Carter, Chiles, Cobb, Copeland, Davidson, Davis (Pickett), DeBerry, Duer, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hurley, Huskey, Kent, Kernell, Love, McAfee, McKinney, Miller, Owen, Percy, Pickering, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Turner, Wallace, Webb, Whitson, Wolfe and Wood--47.

Representative present and not voting was: Bragg--1.

Thereupon, the motion to re-refer Senate Bill No. 1610 to the Committee on Finance, Ways and Means failed by the following vote:

Ayes	44
Noes	48

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Representatives voting aye were: Baker, Bell (Knox), Bewley, Bragg, Byrd, Carter, Chiles, Cobb, Copeland, Davidson, Gaia, Gill, Harrill, Henry (Blount), Hurley, Huskey, Jones, Kent, Kernell, King (Shelby), Love, McAfee, McKinney, Miller, Montgomery, Owen, Percy, Pickering, Pruitt, Robertson, Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Turner, Wallace, Webb, Wolfe, Wood and Yelton--44.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Buck, Burnett, Clark (Davidson), Clark (Sumner), Covington, Crain, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne Duer, Duncan, Ellis, Ford, Frensley, Henry (Roane), Hillis, Hudson, Jared, Johnson, King (Washington), Lashlee, McNally, Moore, Murphy (Davidson), Murray, Naifeh, Phillips, Rhinehart, Richardson, Robinson (Davidson), Robinson (Washington), Sir, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wheeler, Whitson, Wix and Work--48.

Mr. Tanner moved that Senate Bill No. 1610 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

House Bill No. 2194--to make certain provisions, state library system.

Mr. Henry (Roane) objected to House Bill No. 2194 being substituted for Senate Bill No. 2243.

Mr. Burnett moved that House Bill No. 2194 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 2105--To provide optional use, voting machines, certain counties.

On motion, House Bill No. 2105 was made to conform with Senate Bill No. 2076.

On motion, Senate Bill No. 2076, on same subject, was substituted for House Bill No. 2105.

Mr. Chiles moved that Senate Bill No. 2076 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington),

Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1912--To define eligibility, attendance bonus, unused sick leave.

On motion, House Bill No. 1912 was made to conform with Senate Bill No. 1557.

On motion, Senate Bill No. 1557, on same subject, was substituted for House Bill No. 1912.

Mr. Chiles moved that Senate Bill No. 1557 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1557 by adding the following language as a new Section 3, renumbering the effective date section accordingly:

SECTION 3. Tennessee Code Annotated, Section 8-23-207, is further amended by adding the following language as subsection (g):

(g) Notwithstanding the requirements of subsections (a) (1), (b) (1), and (e) of this section, any employee who is required to take leave from his official employment by his appointing authority due to a shortage of funds or work and who is eligible to accrue and use sick leave under Tennessee Code Annotated, Section 8-50-101, when not on such required leave, shall be eligible to receive the attendance bonus. Said attendance bonus shall be prorated according to the period of time such employee is on active employee status.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1557, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. Yelton moved that House Bill No. 1611 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

Mr. Ellis moved that House Bill No. 2043 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

House Bill No. 1966--To change boundardies, Union and Knox Counties.

On motion, House Bill No. 1966 was made to conform with Senate Bill No. 2049.

On motion, Senate Bill No. 2049, on same subject, was substituted for House Bill No. 1966.

Mr. Wheeler moved that Senate Bill No. 2049 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

Mr. Covington moved that House Bill No. 1085 be placed on the Calendar for Thursday, March 25, 1982, which motion prevailed.

Mr. Dills moved that Senate Joint Resolution No. 201 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

House Bill No. 1599--To make certain provisions, industrial development bonds.

On motion, House Bill No. 1599 was made to conform with Senate Bill No. 1587.

On motion, Senate Bill No. 1587, on same subject, was substituted for House Bill No. 1599.

Mr. Murphy (Davidson) moved that Senate Bill No. 1587 be passed on third and final consideration.

Mr. Spence moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1587 be deleting Section 3 of the amendatory language in its entirety and substituting instead the following:

Section 3. Tennessee Code Annotated, Section 7-53-305, subsection (b) is amended by deleting the said subsection in its entirety and substituting instead the following:

The municipality shall have the power to delegate to the corporation the authority to negotiate and accept from the corporation's lessees, payments in lieu of ad valorem taxes; provided, that, except as set forth below with regard to areas designated as center city areas within municipalities within which has been created a central business improvement district pursuant to Section 7-84-101, et. seq., such lessees shall pay to the municipality in which any such project is located, a payment in lieu of taxes which shall equal the taxes on real and personal property which such lessee would have been required to pay, had it been the owner of such property during the period for which such payment is made and under no circumstances shall the corporation or its projects, properties, money, bonds or notes be obligated, liable or subject to lien of any kind for the enforcement, collection or payment thereof. With regard to any project located within an area designated as the center city area by a municipality in which there has been created a central business improvement district pursuant to Section 7-84-101 et. seq., the amount of such payments may be set at a lesser amount, but shall not be fixed below the lesser of:

(1) Ad valorem taxes otherwise due and payable by a tax paying entity upon the current fair market value of the leased properties; or

(2) Ad valorem taxes that were due and payable on the leased properties for the period immediately preceding the date of their acquisition by the corporation.

Notwithstanding the above provisions, the amount payable in lieu of taxes by hotel and motel lessees, ten (10) years after completion of the project on leased property, shall be not less than the ad valorem taxes otherwise due and payable upon the current fair market value of the property. All such payments when made shall be in full satisfaction of the obligations of the corporation's lessees with regard to use and ad valorem taxation of leasehold estates in corporation properties.

THURSDAY, MARCH 18, 1982—82nd LEGISLATIVE DAY

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1587 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ___. The provisions of this act shall only apply in counties having a population of fifty thousand (50,000) or more according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Murphy (Davidson) moved that Senate Bill No. 1587 be placed on the Calendar for Monday, March 22, 1982, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1812--To amend Section 2-14-202, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

314--Relative to commending Junior Achievement Program; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 167, 388, 1511, 1642, 1948 and 2060, House Resolutions Nos. 99, 105 and 109; and House Joint Resolution No. 379; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1423, 1461, 1487, 1522, 1737, 1820 and 1848; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 167, 388, 1511, 1642, 1948 and 2060; House Resolutions Nos. 99, 105 and 109; House Joint Resolution No. 379; and Senate Bills Nos. 1423, 1461, 1487, 1522, 1737, 1820 and 1848.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1474, 1746, 1813, 1858 and 2004; also, House Joint Resolutions Nos. 358, 360 and 376; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1474, 1746, 1813, 1858 and 2004; and House Joint Resolutions Nos. 358, 360 and 376; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution Nos.:

389--Relative to congratulating Sky View Gold Midgets;

390--Relative to honoring Bob Owen; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

1368--To amend Chapter 124, Private Acts, 1963;

1801--To provide for referendum, Dresden;

1815--To regulate certain elections, Crossville;

1891--To provide for Board of Education, Marshall County;

2001--To repeal Chapter 272, Private Acts, 1978;

2215--To levy privilege tax on lodgings, certain counties;

2219--To increase tax levied, South Carroll Special School Districts;

2240--To amend Charter, Bartlett;

2251--To amend Charter, Bristol; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.

231--Relative to exempting food service, certain new establishments; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1603--To amend Section 55-5-108, Code;

1691--To regulate security, public schools;

1787--To define historic performing arts center;

1791--To amend Section 67-2601, Code;

1959--To amend Section 67-5806, Code;

2002--To vest certain authority, Board of Claims;

2052--To credit certain gasoline tax, wildlife resources fund;

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

2134--To regulate surtax, certain banking institutions;

2164--To regulate disposition, dead bodies;

2188--To regulate foreign owned financial operations;

2219--To amend Title 56, Code;

2281--To provide sale, certain state surplus property;

2291--To amend Section 56-22-106, Code;

2300--To amend Chapter 33, Title 56, Code;

2304--To amend Title 56, Chapter 13, Code; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 536--To terminate Human Development Commission.

SENATE AMENDMENT NO. 1

Amend House Bill No. 536 by deleting the following words and symbols from Section 2 as amended:

The following governmental entities shall terminate on June 30, 1983.

and substituting in lieu thereof the following:

The following governmental entities shall terminate on June 30, 1988.

Mr. Davis (Hamilton) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray,

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1687--To provide for archaeological advisory council.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1687 by deleting the first and second sentences in the third paragraph of the amendatory language, section 3 and by adding the following language in lieu thereof:

The members of the council shall receive no salary; provided, however, that travel expenses incurred by such members in the performance of duties with respect to the council shall be reimbursed in accordance with the provisions of the comprehensive travel regulations as promulgated by the Department of Finance and Administration and approved by the Attorney General.

Mr. Davis (Hamilton) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. McNally moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 391 out of order, which motion prevailed.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

House Joint Resolution No. 391--Relative to declaring "Walk for Mankind Day"--By McNally.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McNally, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Rhinehart moved that the rules be suspended for the purpose of considering House Bill No. 1457 out of order, which motion prevailed by the following vote:

Ayes	72
Noes	18

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Duer, Ellis, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Starnes, Ussery, Webb, Wheeler, Whitson, Withers, Wix, Wood, Work and Yelton--72.

Representatives voting no were: Baker, Bragg, Byrd, Dills, Gill, Huskey, Kent, Lashlee, Moore, Naifeh, Small, Spence, Stallings, Sterling, Tanner, Turner, Wallace and Wolfe--18.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1457--To regulate retirement and social security benefits, for public employees.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1457 by adding the following as a new section immediately preceding the effective date section to be appropriately numbered and by renumbering the effective date section accordingly:

SECTION _____. Tennessee Code Annotated, Section 8-35-203, is further amended by adding the following as a new subsection (d):

- (a) No employee or elected or appointed official of the state or any political subdivision thereof shall be entitled to receive retirement benefits from the Tennessee Consolidated Retirement System, any

superseded retirement system or any other public pension system if such employee or official shall be convicted in any court of the State of Tennessee of a felony arising out of his employment or official capacity, constituting malfeasance in office.

- (2) Upon initial conviction, or upon a plea of guilty or nolo contendere, any person subject to the provisions of this section shall:
 - (A) have his benefit stopped immediately, if he is receiving a benefit; and
 - (B) receive a refund of the accumulated contributions credited to his account, if any, less any benefits received.
- (3) The employing agency shall be responsible for immediately notifying the administrator of the retirement system of the conviction of any person subject to the provisions of this section.
- (4) In the event the conviction of such person shall be later overturned in any court and such person is acquitted, or is granted a full pardon, he shall be restored to all rights, privileges and benefits as if the conviction had never occurred.
- (5) This section shall apply only to persons who become members of public pension plans after the effective date of this act.

Mr. Rhinehart moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	76
Noes	13
Present and not voting	2

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Frensey, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Ussery, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--76.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Representatives voting no were: Baker, Byrd, Ford, Gill, Huskey, Kent, Kernell, Moore, Small, Spence, Sterling, Turner and Wallace --13.

Representatives present and not voting were: Owen and Wix--2.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1457 by inserting a new section to read as follows and by renumbering the remaining sections accordingly:

Section _____. Tennessee Code Annotated, Section 8-36-209(b) is amended by adding a new subsection after Subsection 8-36-209(b)(2) to read as follows:

- (3) Effective November 2, 1982, the minimum allowance provided by this Subsection (b) shall not be less than three hundred sixty dollars (\$360.00) multiplied by the number of years of creditable service. In addition, the provisions of Tennessee Code Annotated, Section 8-36-702 shall not apply to the benefit provided under this Subsection (b)(3).

AMENDMENT NO. 2 TO AMENDMENT NO. 2

Amend Amendment No. 2 by adding a new sentence to read as follows: "The increase in retirement benefits shall not apply to any past or present member."

Mr. Rhinehart moved that the House concur in Senate Amendment No. 2, as amended, which motion prevailed by the following vote:

Ayes	69
Noes	17
Present and not voting	1

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Ellis, Frensley, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Jared, Johnson, Jones, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work and Yelton --69.

Representatives voting no were: Baker, Bragg, Burnett, Byrd, Davidson, Duncan, Ford, Gill, Huskey, Kent, Kernell, Miller, Owen, Spence, Turner, Wallace and Mr. Speaker McWherter--17.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Representative present and not voting was: Brewer--1.

SENATE AMENDMENT NO. 5

Amend House Bill No. 1457 by: The beneficiaries of any benefits provided in this chapter may elect to receive an amount less than the amount eligible to receive - provided the request is in writing and irrevocable.

Mr. Rhinehart moved that House Bill No. 1457 be placed on the Calendar for Monday, March 22, 1982, under unfinished business which motion prevailed.

Mr. McKinney moved that the rules be suspended for the purpose of introducing House Resolution No. 116 out of order, which motion prevailed.

House Resolution No. 116--Relative to congressional budget committee--By McKinney, Murphy (Davidson), Whitson, Spence, Murphy (Shelby), Turner, Byrd, Shirley, Yelton, Montgomery, Ellis, Sterling, Jones, Withers, Clark (Davidson), Robinson (Washington), Shockley, Hurley, Wheeler, DeBerry, Jared, Work, Wix, Love, Pickering, Hillis, Gill and Moore.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McKinney, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wolfe moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 243 out of order, which motion prevailed.

Senate Joint Resolution No. 243--Relative to commending Mrs. Agnes Ledbetter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wolfe, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Richardson moved that the rules be suspended for the purpose of introducing House Resolution No. 117 out of order, which motion prevailed.

House Resolution No. 117--Relative to creating study, retired citizens--By Richardson and Gaia.

On motion, the Speaker referred House Resolution No. 117 to the Committee on Calendar and Rules.

A motion to reconsider was tabled.

MOTIONS

On motion of Mr. Stallings House Bill No. 271 was recalled from the Committee on General Welfare.

On motion of Mr. Stallings, House Bill No. 271 was withdrawn from the House.

On motion of Mr. Davis (Hamilton), House Bill No. 2209 was recalled from the Committee on Commerce.

On motion of Mr. Davis (Hamilton), House Bill No. 2209 was withdrawn from the House.

On motion of Mr. Buck, House Bill No. 1930 was recalled from the Committee on Education.

On motion of Mr. Buck, House Bill No. 1930 was withdrawn from the House.

Mr. Gill filed the following motion, which motion prevailed.

RULES SUSPENDED

MR. SPEAKER:

I move you, sir, that we suspend Rule No. 48 and that the following adjustments be made in the Calendar set for next week:

I move you, sir, that the first 5 bills set for Wednesday next be re-set in the same order at the heel of Monday night's Calendar;

That the remaining bills set for Wednesday be moved forward and that the first 20 bills set on Thursday's Calendar be re-set in the same order at the heel of Wednesday's Calendar;

And that the Committee on Calendar and Rules be directed to set 40 bills on the Calendar for Thursday next.

This will give us 25 bills on Monday; 40 bills on Wednesday and Thursday of next week.

NOTICE TO OVERRIDE VETO

MR. SPEAKER: I hereby file notice under House Rule No. 77 that I plan to move Senate Bill No. 323 for passage, notwithstanding the objections of the Executive.

REP. JERRY JARED

Under the rules, the notice lies over.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 393 out of order, which motion prevailed.

House Joint Resolution No. 393--Relative to Medical Assistance Act of 1968--By DeBerry.

On motion, the Speaker referred House Joint Resolution No. 393 to the Committee on Calendar and Rules.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 380--Relative to allocating and administering Block Grants--By Bragg.

The Speaker referred House Joint Resolution No. 380 to the Committee on Finance, Ways and Means.

House Joint Resolution NO. 381--Relative to creating Joint Committee, retail gas outlets--By King (Shelby).

The Speaker referred House Joint Resolution No. 381 to the Committee on Commerce.

House Joint Resolution No. 382--Relative to commending Nancy Sue Crawford--By Hudson and Smith.

Under the rules, House Joint Resolution No. 382 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 383--Relative to congratulating Giles County High School girls' basketball team--By DePriest.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Under the rules, House Joint Resolution No. 383 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 385--Relative to congratulating Lynn Johnson--By Hurley, Montgomery, Yelton, Akard, Whitson, King (Washington), Bewley and Robinson (Washington).

Under the rules, House Joint Resolution No. 385 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 386--Relative to congratulating Carter High School football team--By Smith, Scruggs, Bell (Knox), Severance, Miller, Owen and Hudson.

Under the rules, House Joint Resolution No. 386 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 387--Relative to memory, James Lawrence Tarwater--By Henry (Roane) and Duer.

Under the rules, House Joint Resolution No. 387 was referred to the Committee on Calendar and Rules.

House Resolution No. 115--Relative to appreciation, Woody and Sandy Clifton--By Dills.

Under the rules, House Resolution No. 115 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2303--To amend Chapter 116, Private Acts, 1981--By Kelley, Lashlee and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 2304--To amend Charter, Townsend--By Huskey.

Passed first consideration.

House Bill No. 2305--To establish budget committee, Chester County--By Wolfe and Kelley.

Passed first consideration.

House Bill No. 2306--To make certain provisions, Columbia--By Richardson.

Passed first consideration.

House Bill No. 2307--To regulate display of campaign materials, McMinn County--By Webb.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

Passed first consideration.

House Bill No. 2308--To create juvenile court, Coffee County--By Johnson.

Passed first consideration.

House Bill No. 2309--To amend Charter, Trimble--By Dills.

Passed first consideration.

House Bill No. 2310--To amend Charter, Newbern--By Dills.

Passed first consideration.

House Bill No. 2311--To regulate training of coon dogs, Hawkins County--By Hurley.

Passed first consideration.

House Bill No. 2312--To impose litigation tax, Hawkins County--By Hurley.

Passed first consideration.

House Bill No. 2313--To set compensation, County Attorney, Hawkins County--By Hurley.

Passed first consideration.

House Bill No. 2314--To provide for mayor, Brownsville--By Crain.

Passed first consideration.

House Bill No. 2315--To amend road law, Haywood County--By Crain.

Passed first consideration.

House Bill No. 2316--To regulate election board of education, Haywood County--By Crain.

Passed first consideration.

House Bill No. 2317--To set salary, probate judge, Monroe County--By Harrill.

Passed first consideration.

House Bill No. 2318--To provide for board of education, Roane County--By Henry (Roane) and McNally.

Passed first consideration.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

House Bill No. 2319--To provide juvenile jurisdiction, Robertson County--By Davidson and Clark (Sumner).

Passed first consideration.

House Bill No. 2320--To create a juvenile court, Hawkins County--By Hurley.

Passed first consideration.

House Bill No. 2321--To make certain provisions, financing of public buildings--By Miller, Owen, Severance, Scruggs, Bell and Smith.

Passed first consideration.

House Bill No. 2322--To make certain provisions, Tullahoma--By Johnson and Murray.

Passed first consideration.

House Bill No. 2323--To provide for General Sessions Judge, Roane County--By Henry (Roane), Duer and McNally.

Passed first consideration.

SENATE BILLS ON SECOND CONSIDERATION

Senate Bill No. 1575--To amend Section 29-18-130, Code.

Passed second consideration and referred to Committee on Judiciary.

Senate Bill No. 2067--To amend Section 54-7-106, Code.

Passed second consideration and referred to Committee on State and Local Government.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2300--To regulate mobile home, parks, Hamblen County.

Passed second consideration and held without reference.

House Bill No. 2301--To create Division II, General Session Court, Bradley County.

Passed second consideration and held without reference.

House Bill No. 2302--To amend Charter, Bristol.

Passed second consideration and held without reference.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1613--Bell (Wilson)

House Bill No. 2022--Covington, Severance

House Resolution No. 116--Harrill

House Joint Resolution No. 314--Shockley

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1467, 1771, 1910, 1915, 1952, 1978, 1986 and 2158; and House Joint Resolution No. 391; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Monday, March 22, 1982:

House Bill No. 1165--McKinney

Senate Bill No. 1521--Rhinehart

House Bill No. 1573--Scruggs

House Bill No. 1749--Dills

House Bill No. 1812--Naifeh

House Joint Resolution No. 314--King (Washington)

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, March 22, 1982: House Bills Nos. 1923, 2148, 2213, 2120, 1713, 1715, 1796, 1497, 1789, 1842, 1168 and 1714.

GILL, Chairman.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bill No. 2244.

ROBINSON (Davidson), Chairman.

Under the rules, House Bill No. 2244 was transmitted to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

Mr. Stafford moved that the rules be suspended for the purpose of introducing House Bill No. 2325 out of order, which motion prevailed.

House Bill No. 2325--To levy privilege tax on lodgings, Blount County--By Stafford, Henry (Blount) and Huskey.

Passed first consideration.

Mr. Cobb moved that the rules be suspended for the purpose of introducing House Bill No. 2330 out of order, which motion prevailed.

House Bill No. 2330--To amend Title 45, Chapter 2, Code--By Cobb.

Passed first consideration.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions 389 and 390; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 389 and 390.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2246, 2258, 2264, 2259, 2267, 2269, 2273, 2274, 2285, 2286, 2287, 2288, 2300, 2301, 2302; and Senate Bill No. 786.

THURSDAY, MARCH 18, 1982--82nd LEGISLATIVE DAY

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, March 22, 1982: House Bills Nos. 1748, 1300, 2072, 1956, 2204, 2234, 2246, 2258, 2259, 2264, 2267, 2269, 2273, 2274, 2285, 2286, 2287, 2288, 2300, 2301 and 2302, Senate Bill No. 786, Senate Joint Resolutions Nos. 239, 240, 241, House Joint Resolutions Nos. 378, 382, 383, 385, 386 and 387, and House Resolution No. 114.

GILL, Chairman.

On motion of Mr. Burnett the House adjourned until 4:00 p.m., Monday, March 22, 1982.